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Message Text

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SUBJECT: ANNUAL HUMAN RIGHTS REPORTS

REF:A)STATE22819; B) DAR ES SALAAM 351

FOLLOWING IS THE FINAL TEXT OF THE HUMAN RIGHTS REPORT
ON TANZANIA WHICH WILL BE FORWARDED TO CONGRESS JANUARY 31
AS PART OF CONGRESSIONAL PRESENTATION DOCUMENTS FOR FY
1979 FOREIGN ASSISTANCE PACKAGE. DEPT WILL PROVIDE COPY
TO TANZANIAN EMBASSY HERE PER REF B.
BEGIN TEXT:

TANZANIA IS A ONE-PARTY PARLIAMENTARY REPUBLIC.
TANZANIA'S PRESIDENT JULIUS NYERERE HAS CONSISTENTLY
CALLED FOR MAJORITY RULE IN SOUTHERN AFRICA WITH
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GUARANTEES FOR MINORITY RIGHTS. NYERERE OPPOSES
APARTHEID BUT AT THE SAME TIME HAS BEEN ONE OF THE
FEW AFRICAN LEADERS TO CONDEMN THE REGIME OF UGANDA'S
IDI AMIN, LEADING SEVERAL OBSERVERS TO CALL HIM "THE
CONSCIENCE OF AFRICA." AN AVOWED SOCIALIST AT HOME
AND ABROAD, HE IS IN THE FOREFRONT OF THE NORTH-
SOUTH DIALOGUE AND IS ONE OF THE LEADING THEORETI-

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CIANS CALLING FOR MORE RESOURCES TO BE TRANSFERRED FROM THE ECONOMICALLY DEVELOPED COUNTRIES TO THE LESS-DEVELOPED NATIONS.
IN CONTRAST TO ITS STANCE ON VIOLATIONS OF HUMAN RIGHTS IN OTHER COUNTRIES, TANZANIA TENDS TO IGNORE, OR AT BEST TO JUSTIFY IN THE INTERESTS OF STATE SECURITY, MOST DOMESTIC VIOLATIONS OF HUMAN RIGHTS. DETENTION LAWS ARE USUALLY DESCRIBED BY GOVERNMENT LEADERS AS A NECESSARY EVIL, AND IDEOLOGY SUBORDINATES THE RIGHTS OF THE INDIVIDUAL TO THE NEEDS OF THE STATE.

1. RESPECT FOR THE INTEGRITY OF THE PERSON, INCLUDING FREEDOM FROM:

-- A. TORTURE

TORTURE HAS OCCURRED ON OCCASION BUT IS NOT CONDONED IN TANZANIA. IN RECENT YEARS THE GOVERNMENT HAS SOUGHT TO RESTRAIN OFFICIALS AND PUNISH VIOLATORS. TWO MINISTERS AND SEVERAL OTHER OFFICIALS WERE FORCED TO RETIRE IN JANUARY, 1977 ON THE GROUNDS THAT POLICE WITHIN THEIR JURISDICTION (BUT WITHOUT THEIR KNOWLEDGE) HAD USED TORTURE AGAINST SUSPECTS. TORTURE WAS ALSO LIKELY IN THE CASE OF A NUMBER OF PRISONERS HELD ON ZANZIBAR IN RECENT YEARS. AFTER LIMITED OFFICIAL USE

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GOVERNMENT REVIEW, THE FORCED CONFESSIONS OF MANY OF THESE PRISONERS HAVE BEEN DISALLOWED AS EVIDENCE; ACCORDINGLY SEVERAL OF THESE PRISONERS HAVE HAD THEIR SENTENCES REDUCED AND SOME HAVE BEEN RELEASED.

-- B. CRUEL, INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT

A PERMANENT COMMISSION HAS JUST BEEN ESTABLISHED TO PROTECT INDIVIDUALS FROM ABUSE BY AUTHORITIES. PRISONS, HOWEVER, ARE SERIOUSLY OVERCROWDED AND HAVE MINIMAL FACILITIES. THE DEATH PENALTY HAS RARELY BEEN IMPLEMENTED.

-- C. ARBITRARY ARREST OR IMPRISONMENT

UNDER THE NATIONAL SECURITY LAWS THE GOVERNMENT MAY INDEFINITELY DETAIN WITHOUT TRIAL OR PUBLIC HEARING ANY INDIVIDUALS CONSIDERED DANGEROUS TO THE SAFETY, GOOD ORDER OR INTERESTS OF THE COUNTRY. PRECISE FIGURES ON THE NUMBER OF DETAINEES ARE UNAVAILAB E. THE LATEST AMNESTY INTERNATIONAL REPORT (NOVEMBER 1977)ESTIMATES

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THE NUMBER OF DETAINEES TO BE BETWEEN 1,000 AND 1,500.
THESE INCLUDE SEVERAL MEMBERS OF SOUTHERN AFRICAN
LIBERATION MOVEMENTS.

D. DENIAL OF FAIR PUBLIC TRIAL

THE THREAT OF PROSECUTION IS USED FOR HARASSMENT ON SOME
OCCASIONS, AND OCCASIONALLY CASES ARE KEPT PENDING FOR
LONG PERIODS, EVEN THOUGH THE GOVERNMENT REALIZES THERE
MAY EVENTUALLY BE AN ACQUITTAL. IN CASES REMOVED FROM
THE POLITICAL CONTEXT, THE RIGHT TO FAIR PUBLIC TRIAL
IS RESPECTED.

-- E. INVASION OF THE HOME
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INVASIONS OF THE HOME HAVE OCCURRED IN THE PAST,
BUT HAVE RECENTLY BEEN HALTED AS A RESULT OF
CRITICISM BY PRESIDENT NYERERE.

2. GOVERNMENTAL POLICES RELATING TO THE FULFILLMENT
OF SUCH VITAL NEEDS AS FOOD, SHELTER, HEALTH
CARE AND EDUCATION

TANZANIAN SOCIALISM IS REDISTRIBUTIVE. IT HAS BEEN
PURSUED WITH THE GOAL OF SHARING THE LIMITED RESOURCES
OF THE COUNTRY; THERE HAS BEEN A SUBSTANTIAL REDISTRI-
BUTION OF WEALTH. THE GOVERNMENT'S ECONOMIC POLICIES
FOCUS ON RAISING THE STANDARD OF LIVING OF THE RURAL
POOR AND PROVIDING SERVICES TO THESE PEOPLE.

TANZANIA'S EXPERIMENT HAS WORKED FOR THE MOST PART,
IN THAT THE RESOURCES ARE FINDING THEIR WAY TO THE
RURAL SECTOR AND THAT FEW INDIVIDUALS OR FAMILIES
HAVE BECOME WEALTHY. THE SALARIES OF GOVERNMENT
OFFICIALS ARE STRICTLY LIMITED, AS IS ACCESS TO
AUTOMOBILES, QUARTERS AND OTHER SUCH JOB-RELATED
BENEFITS IN WHICH CORRUPTION MIGHT PLAY A ROLE. THE
MAJORITY OF THE POPULATION SHARES IN THE NATION'S
WEALTH, AND POOR ECONOMIC PERFORMANCE CAN USUALLY BE
TRACED TO INEFFICIENCY OR STRICT ADHERENCE TO IDEOLOGY.

3. RESPECT FOR CIVIL AND POLITICAL LIBERTIES,
INCLUDING:

-- A. FREEDOM OF THOUGHT, SPEECH, PRESS, RELIGION
AND ASSEMBLY

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FREEDOM OF RELIGION IS OBSERVED IN TANZANIA, BUT OTHER BASIC CIVIL RIGHTS ARE SUBORDINATED TO THE ACHIEVEMENT OF TANZANIAN SOCIALIST OBJECTIVES. FREEDOM OF ASSEMBLY IS SUBORDINATED TO THE WISHES OF THE PARTY. CIRCULATION OF FOREIGN BOOKS AND MAGAZINES

IS FAIRLY FREE, BUT LOCAL PRESS, MEDIA AND EDUCATIONAL INSTITUTIONS PRESENT A SINGLE PROPAGANDISTIC POINT OF VIEW. PUBLIC DISSENT WITH BASIC POLICIES AND IDEOLOGY IS NOT PERMITTED, BUT PRIVATE INTELLECTUAL INQUIRY DOES NOT SEEM TO HAVE BEEN DIRECTLY IMPAIRED. THE LABOR MOVEMENT IS INTEGRATED INTO THE GOVERNMENT/ PARTY STRUCTURE. THE GOVERNMENT HAS THE AUTHORITY TO VETO AGREEMENTS ARRIVED AT THROUGH ITS OWN COLLECTIVE BARGAIN-ING PROCESS.

-- B. FREEDOM OF MOVEMENT WITHIN A COUNTRY, FOREIGN TRAVEL AND EMIGRATION

MOVEMENT WITHIN TANZANIA IS UNFETTERED, ALTHOUGH CITIZENS WITHOUT JOBS ARE REQUIRED TO MOVE TO RURAL VILLAGES WHERE THEY ENGAGE IN SUBSISTENCE AGRICULTURE. FOREIGN TRAVEL IS WITHOUT RESTRAINT OTHER THAN STRICT PASSPORT REQUIREMENTS. EMIGRATION IS NOT OBSTRUCTED BY GOVERNMENT REGULATION.

-- C. FREEDOM TO PARTICIPATE IN THE POLITICAL PROCESS

TANZANIA IS A ONE-PARTY PARLIAMENTARY REPUBLIC. ITS CONSTITUTION CONFIRMS THE PARTY IN ITS ROLE AS SOLE ARCHITECT OF NATIONAL POLICY. OPPOSITION PARTIES ARE NOT PERMITTED. ABOUT HALF OF PARLIAMENT IS DIRECTLY ELECTED BY UNIVERSAL SUFFRAGE, WITH TWO CANDIDATES (BOTH APPROVED BY THE PARTY) RUNNING AGAINST EACH OTHER FOR A SINGLE SEAT. INCUMBENTS HAVE BEEN CHALLENGED AND LIMITED OFFICIAL USE

DEFEATED. REMAINING MEMBERS ARE APPOINTED OR ELECTED WITHOUT OPPOSITION. THE ISLAND OF ZANZIBAR RETAINS INTERNAL AUTONOMY. ITS FIRST ELECTIONS SINCE INDE-PENDENCE IN 1963 WERE HELD IN DECEMBER 1977, AND THE PROCESS WENT OFF SMOOTHLY.

4. GOVERNMENTAL ATTITUDE AND RECORD REGARDING INTER-

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NATIONAL AND NON-GOVERNMENTAL INVESTIGATION OF ALLEGED VIOLATIONS OF HUMAN RIGHTS

AMNESTY INTERNATIONAL CONDUCTED A CAMPAIGN AGAINST THE TREASON TRIAL OF A NUMBER OF PEOPLE ON ZANZIBAR OVER THE PAST TWO YEARS BUT DID NOT HAVE ON THE SPOT OBSERVERS. WHILE THE ZANZIBAR GOVERNMENT CLAIMED THAT OUTSIDE CRITICISM DID NOT AFFECT THE COURSE OF THE TRIAL, NEARLY ALL OF THE DEATH SENTENCES WERE COMMUTED IN JANUARY 1977, EXCEPT FOR THOSE TRIED IN ABSENTIA WHO ARE IN JAIL ON THE MAINLAND AND WILL NOT

BE RETURNED FOR EXECUTION. A NUMBER OF ZANZIBARIS INVOLVED IN THIS TRIAL WERE ACQUITTED AFTER HAVING SERVED SEVERAL YEARS IN PRISON.

TANZANIA PLAYED HOST IN SEPTEMBER 1976 TO A SEMINAR SPONSORED BY THE INTERNATIONAL COMMISSION OF JURISTS ON "HUMAN RIGHTS, THEIR PROTECTION AND THE RULE OF LAW IN A ONE-PARTY STATE". ALTHOUGH THE ICJ CONDUCTED NO INVESTIGATIONS DURING THE SEMINAR, TANZANIA'S WILLING-NESS TO HOST A CONFERENCE OF THIS NATURE, WHICH COULD CALL ATTENTION TO ITS OWN DOMESTIC SHORTCOMINGS, IS SIGNIFICANT. NO OTHER REQUESTS FOR SUCH INVESTIGATIONS HAVE COME RECENTLY. END TEXT. VANCE

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